Hovsepian v. Apple, Inc. Doc. 318

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

Acacia Media Technologies Corp.,

Plaintiff,

vs.

New Destiny Internet Group, et al.,

Defendants.

And All Related and/or Consolidated Actions.
/

NO. C 05-01114 JW

ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

On October 29, 2008, the Court conducted a hearing on an Order to Show Cause why summary judgment should not be entered in favor of Defendants resulting from Plaintiff's motion for summary judgment against itself. (See Motion for Summary Judgment Pursuant to FRCP 56 on Acacia's Patent Infringement Claims and on Defendants' Counterclaims for Patent Invalidity, Docket Item No. 287.)

For the reasons stated on the record, the Court DENIES Plaintiff's Motion for Summary Judgment. The Court orders the parties to meet and confer and file a Stipulation with respect to a new briefing schedule for Defendants' pending motions for summary judgment. To the extent the parties cannot agree to a briefing schedule, the parties may file separate Statements. The parties shall file their Stipulation or separate Statements on or before **November 5, 2008.**

Dated: October 30, 2008

JAMES WARE
United States District Judge

Dockets.Justia.com

United States District Court
For the Northern District of California

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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Dated: October 30, 2008 **Richard W. Wieking, Clerk**

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy